

Senate Bill 538

By: Senators Harbin of the 16th, Jones of the 25th, Dolezal of the 27th, Mullis of the 53rd,
Brass of the 28th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to
2 elections and primaries generally, so as to require certain fraud countermeasures on physical
3 absentee ballots; to provide an exception; to provide for rule making by the State Election
4 Board; to provide that such ballots shall be required only in the event of a specific
5 appropriation of funds by the General Assembly; to provide for related matters; to provide
6 an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and
10 primaries generally, is amended by adding a new Code section to read as follows:

11 "21-2-391.

12 (a) Other than ballots delivered electronically to qualified electors who are entitled to vote
13 by absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting
14 Act, 52 U.S.C. Section 20301, et seq., whenever a physical absentee ballot is used pursuant
15 to this chapter, such ballot shall meet the requirements of this Code section.

16 (b) Absentee ballots shall be printed on unique, controlled-supply security paper that
17 incorporates features which can be used to authenticate the ballot as an official ballot, but
18 which do not make the ballot identifiable to a particular elector. Such security paper shall
19 have at least one watermark revealed by black light and include a serial number that shall
20 individually identify each sheet of security paper.

21 (c) The State Election Board shall be authorized to promulgate rules, regulations, and
22 procedures to implement and administer the provisions of subsections (a) and (b) of this
23 Code section.

24 (d) Election superintendents shall only be obligated to obtain the ballots required by this
25 Code section if, for the applicable year, the General Assembly appropriates funds to the
26 office of the Secretary of State in amounts sufficient for such office to reimburse each
27 election superintendent, county, or municipality for the costs of acquiring the ballots and
28 associated equipment provided for in this Code section."

29 **SECTION 2.**

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.